
**PROVIDING
SERVICES IN IV-D
CASES**

Location services must be provided in IV-D cases, in accordance with federal regulations, laws, state laws, and contractual arrangements, when the location of a individual is unknown. Location means information concerning the physical whereabouts of the individual, the individual's employer(s), and/or other sources of income or assets which are sufficient and necessary to take the next appropriate action in a case. The next appropriate action could include a modification or setting an initial order in which case information on either a custodial or non custodial parent might prompt a location request.

All appropriate local, state, interstate and federal location resources must be utilized and responses evaluated within 75 calendar days of determining that location services are needed in a IV-D case. In new IV-D cases, services must be initiated within 20 calendar days of the application or referral for IV-D services.

In addition, periodic location attempts must be made in cases in which initial location efforts failed and adequate individual identifying information is available. Automated state resources must be utilized on a quarterly basis, which at a minimum include state employment security agency files (SESA). Federal and state location information is available through the State Parent Locator Service (SPLS) and in some instances the Data Warehouse. Local and interstate location resources are discussed in this chapter.

Appropriate local resources must be utilized to locate individuals. Local resources include, but are not limited to:

- IV-D customer,
- Friends and relatives of the individual (subject of the search),
- Current and past employers,
- Telephone company,
- U.S. Postal Service,
- Unions and fraternal organizations.

A comprehensive listing of local locating resources is provided at the end of this chapter (4DM200-2X1). To effectively utilize local resources, federal regulations require that steps be taken to establish working relationships with local agencies and companies that are routinely contacted as part of local search efforts. In contacting such resources make every effort to explain the purpose of location inquiries.

**Information from
Employers**

Employers should be informed of the provisions of MCLA 552.518 and MCLA 400.894. The Friend of the Court Act requires that current and former employers provide available information on parents including:

- Address,

- Social security number,
- Date of birth,
- Amount of wages or benefits,
- Employment status, and status of dependent health care coverage.

Administrative Subpoena

Issue an administrative subpoena if needed to obtain current employment information that pertains to the individual in question and is needed to establish, modify or enforce a support order. Use only if the employer does not provide the information when requested. Form FIA-306 is used by Child Support Specialists for this purpose (exhibit 4DM200-2X2). Friends of the Court and Prosecuting Attorneys use subpoenas appropriate for their function. The information requested must be furnished within 15 days after the subpoena is received by the employer.

Interstate and Military Resources

When there is reason to believe that an individual resides outside of Michigan, it is appropriate to contact out-of-state resources likely to produce an address. Phone numbers for locating military personnel are provided at the end of this chapter (4DM200-2X3). Procedures for making direct inquiries to other state driver license bureaus are provided as well (4DM200-2X4). As explained below, information may also be obtained from IV-D agencies in other states.

Each state IV-D agency is required to operate a central parent locator service and to extend location services to other states. Sister-State PLS units obtain location information from state-level agencies as authorized by State law. Those resources include agencies which maintain records of:

- Public assistance,
- Income taxation,
- Unemployment compensation,
- Driver licenses and vehicle registrations, **and**
- Wages and employment.

A request for a search by sister-state PLS is appropriate when the individual is believed to reside or work in another state and his/her social security number is known. When an individual's SSN is unknown, a search by the Michigan PLS is appropriate even though the person may be residing in another state. In those cases, the State PLS attempts to determine the SSN and location and requests any appropriate sister-state searches.

To request a search by sister-state PLS:

- Complete a Locate Data Sheet, FSA-206 (4DM200-2X5) or computer generated facsimile and submit the request directly to the sister-state PLS; **or**

- Complete a Child Support Enforcement Transmittal #1 Initial Request, FSA-200-1(see 4DM 300X1) and a Locate Data Sheet to provide supplemental individual information and submit the request to the applicable state's Interstate Central Registry for transmittal to its central PLS. (Computer generated facsimiles of those forms may be used.)

Search requests submitted directly to a sister-state PLS generally require less time to prepare since only one form must be completed. Additionally, responses to those requests may be received more quickly since a direct request would be received by the sister-state PLS sooner than a request routed through a state's Interstate Central Registry. However, requests routed through Interstate Central Registries are subject to specific federal standards intended to ensure the timely provision of services in interstate cases.

The Interstate Central Registry in the responding state must, within 10 working days, review the request, forward the case to its State PLS, acknowledge receipt of the case, and inform the initiating state where the case has been sent. The responding IV-D agency is further required to provide location services within 75 days of receipt of the interstate transmittal from its Interstate Central Registry. The initiating state is responsible for notifying the responding state within 10 working days of the receipt of new information which may affect action (i.e., search activities) on a case.

LOCATING FOR CHILD CUSTODY DETERMINATIONS

Friends of the Court are authorized to receive Federal PLS information necessary to enforce child custody and parenting time determinations. A custody and/or parenting time determination is defined by federal regulations as a judgment, decree, or other order of a court providing for **custody or parenting time** of a child. It includes permanent and temporary orders and initial orders and modifications. Federal PLS searches are requested through the State PLS.

Federal Financial Participation (FFP) is not available to cover the cost of location activities in child custody and parenting time cases. Friends of the Court cannot claim IV-D reimbursement for any expenses incurred in connection with these cases.

Before submitting a location request in a child custody and/or parenting time case, the case should be evaluated to determine if it is also a IV-D case in which services are needed to locate an individual for support related purposes. If so, location services should be provided on that basis. This enables the State PLS to use state level location resources and PLS units in other states as well as providing access to the Federal PLS. Also, the activity is then subject to FFP.

Consideration should also be given to whether a search of federal records yields usable information. Some factors to consider include whether or not it is likely that the individual filed a tax return since his/her location became unknown, or is likely to be receiving social security or veterans benefits, or is a federal employee.

A case that is not appropriate for IV-D program services and in which Federal PLS information is desired must meet the following criteria:

- The location of a parent and/or child is unknown;
- A custody and/or parenting time determination, as defined above, has been made;
- Circumstances indicate that the custody and/or visitation order has been violated; **and**

Federal PLS information is needed to locate the individual for purposes of enforcing the child custody and/or visitation determination.

LEGAL REQUIREMENTS

42 USC 653 and 653(A)
42 USC 654 and 654(A)
42 USC 663
45 CFR 303.3
45 CFR 303.7
45 CFR 303.15
MCL 552.518
MCL 400.894